

# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

ESTER LORUSSO,

PLAINTIFF,

-against-

Case No:

1:07 cv 03583-LBS

**ORIGINAL**

ALITALIA LINEE AEREE ITALIANE S.p.A.,

DEFENDANT.

-----X

DATE: January 15, 2008

TIME: 10:05 a.m.

EXAMINATION BEFORE TRIAL of the  
Defendant, ALITALIA LINEE AEREE ITALIANE S.p.A,  
by a Witness, ANDREA PORRU, taken by the  
Plaintiff, pursuant to Notice, and to the  
Federal Rules of Civil Procedure, held at the  
offices of The Ottinger Firm, P.C., 19 Fulton  
Street, New York, New York 10019, before Nina  
Velovic, a Notary Public of the State of New  
York.

PORRU

December 2005.

Q. How long have you been employed by Alitalia?

A. Four years and a half.

Q. As human resource director of the Americas, what were your job duties?

A. My job duties, my main responsibility I will say it is to manage and develop human resources activities and projects within America area, providing leadership and ensuring solution and coordination of the chart in order to achieve company's goal.

Q. What is the company's goal?

A. Depends from the period.

Q. In 2004, what was the company's goal?

A. To rescue the company because we were facing a big financial crisis.

Q. In 2005, what was the company's goal?

A. To continue to rescue the company because of the financial crisis and difficulties in the market.

Q. In 2006?

1 PORRU

2 an e-mail. But I saw from the material gave  
3 from Mr. Longo that the decision was taken with  
4 the head office.

5 Q. Did you ever prepare an e-mail to  
6 the head office regarding their decision to  
7 make such a decision?

8 A. No, because the e-mail provided  
9 from Mr. Longo about the decision were quite  
10 clear for the situation. I don't see here in  
11 this e-mail but there are several e-mails  
12 regarding this point.

13 Q. If you could look at page two of  
14 the document, No. 2. I'm going to read this  
15 for the record. This is part of an e-mail that  
16 you sent to Walter Longo?

17 A. Yes.

18 Q. And No. 2 states "Ms. Lorusso  
19 claims that she has nobody reporting to her in  
20 her position of director cargo marketing  
21 communications, whereas on the passenger side  
22 the similar position that she occupied had a  
23 staff of about 14. Is it true that nobody  
24 reports to Ms. Lorusso now? If so, why does  
25 the director of cargo marketing communications

1 PORRU

2 not require a staff? Is this because, as Ms.  
3 Lorusso claims, all cargo advertising is placed  
4 out of the Rome office? If that is true, what  
5 responsibilities does the director of cargo  
6 marketing communications in New York have?"

7 A. Yes.

8 Q. And in response I'm going to direct  
9 your attention to page one which is Walter  
10 Longo's response. Do you see whether Mr. Longo  
11 responded to your question?

12 A. Yes, not in this e-mail. He  
13 responded to me in the previous e-mail he sent  
14 to me, November 9th.

15 Q. What did he say?

16 A. I have to check that e-mail but he  
17 reported to me a sort of job description the  
18 position in cargo for director marketing  
19 communication.

20 Q. Other than preparing a list of  
21 e-mail questions to Mr. Longo, what else did  
22 you do as part of your investigation of Ms.  
23 Lorusso's complaints?

24 A. I collect the information from Mr.  
25 Longo and Mr. Giulio Libutti.

1 PORRU

2 Q. How did you first contact Mr.  
3 Giulio Libutti regarding Ester Lorusso's  
4 complaint?

5 A. I sent an e-mail to Mr. Giulio  
6 Libutti who was working in Rome.

7 Q. Mr. Porru, I'm showing you what's  
8 been marked as Porru Exhibit 2 which is an  
9 e-mail chain at the top right of the page it  
10 indicates it's five pages long and the first  
11 e-mail on page one is dated November 9, 2006  
12 from Giulio Libutti to yourself.

13 A. Yes.

14 (Whereupon, the aforementioned  
15 document was marked as Porru Exhibit 2  
16 for identification as of this date by  
17 the Reporter.)

18 Q. Just for clarity purposes, it looks  
19 as though Mr. Libutti cut and pasted your  
20 original e-mail into another e-mail and  
21 superimposed his responses right under your  
22 inquiries; is that correct?

23 A. I think, yes, it's correct.

24 MR. KORAL: Right under. I think  
25 sometimes they're actually --

1 PORRU

2 Q. Right into your inquiries. Is this  
3 the e-mail you just referred to in your last  
4 answer?

5 A. Yes, it is.

6 Q. I'm going to direct your attention  
7 to page two of this e-mail under the heading  
8 elimination of Lorusso's position in 2004 and  
9 promotion to general manager of GA 2000. I'm  
10 going to read it for the record. "No. 1, one  
11 basis for Lorusso's sex discrimination  
12 complaint seems to have been that the other  
13 directors in the passenger division were male  
14 and that hers was the only director position  
15 eliminated. What was the rationale for  
16 eliminating Lorusso's position?" And then in  
17 response Mr. Libutti states "the previous vice  
18 president of GA 2000 was a male and has been  
19 fired...and the marketing director position has  
20 been eliminated only after Mrs. Lorusso  
21 accepted the new position in GA 2000 with a  
22 huge increase of salary...the simple rationale  
23 was a H.O. decision to centralize all marketing  
24 activities and above all, the marketing  
25 budget." And then it looks like it goes back

1 PORRU

2 during your investigation?

3 A. Yes, because the investigation was  
4 still open until the job elimination of Ms.  
5 Lorusso was eliminated.

6 Q. In the paragraph I just read, one  
7 of Mr. Libutti's responses to the question "who  
8 besides you participated in the decision," in  
9 response Mr. Libutti says "Gallo/Galli". Is  
10 that Francesco Gallo and Pierre Andrea Galli?

11 A. I think it's your answer is  
12 correct.

13 Q. Could it be anyone else?

14 A. I don't know any other Gallo or  
15 Galli in Alitalia company.

16 Q. In response to this statement by  
17 Mr. Libutti, did you speak with Mr. Gallo?

18 A. No.

19 Q. In response to Mr. Libutti's  
20 statement, did you speak with Mr. Galli?

21 A. No.

22 Q. Why not?

23 A. Mr. Gallo was already out of the  
24 company and I didn't plan to meet him for this  
25 reason.



1 PORRU

2 eliminations so I'm not sure if you mean her  
3 ultimate job elimination or her job elimination  
4 at passenger or her job elimination at GA 2000  
5 or something else?

6 A. After her elimination in 15 January  
7 2007.

8 Q. Is that January 15th, is that when  
9 Ms. Lorusso was terminated from Alitalia?

10 MR. KORAL: Objection.

11 A. No, she was communicated that her  
12 job position was eliminated.

13 Q. Was she offered another job  
14 position?

15 A. I don't recall.

16 Q. You don't recall whether Ms.  
17 Lorusso was offered another job position?

18 A. Not at this time. I have to check  
19 my file.

20 Q. Mr. Porru, I'm going to show you  
21 what's been marked as Porru Exhibit 3. This is  
22 a letter from you to Ester Lorusso dated  
23 January 18, 2007. The first sentence states  
24 "after I presented you with a special severance  
25 package prepared for you in connection with the

1 PORRU

2 elimination of your position and the impending  
3 termination of your employment, you rejected it  
4 outright." Does that refresh your recollection  
5 as to whether Ms. Lorusso was offered another  
6 job position at Alitalia?

7 A. Yes, we spoke about her job  
8 elimination and the possibility for her to  
9 accept a severance package because she was a  
10 director and we decided to treat her in a  
11 special way instead of giving only the regular  
12 severance for the job elimination.

13 (Whereupon, the aforementioned  
14 document was marked as Porru Exhibit 3  
15 for identification as of this date by  
16 the Reporter.)

17 MS. KURZON: Move to strike the  
18 unresponsive portions.

19 Q. Mr. Porru, does that refresh your  
20 recollection as to whether Ms. Lorusso was  
21 offered another job position at Alitalia?

22 A. Yes.

23 Q. Was Ms. Lorusso offered another job  
24 position at Alitalia?

25 A. No.

1 PORRU

2 Q. What would you check?

3 A. If I was in Rome in that period.

4 Q. Mr. Porru, I'm going to direct your  
5 attention to page three of five of Porru  
6 Exhibit 2 which we were previously looking at.  
7 Specifically No. 5 at the top of the page. I  
8 understand there are two number five's on this  
9 page. Page three, No. 5 at the top of the  
10 page. You asked Mr. Libutti the following  
11 question, "when the general manager position  
12 ended, Lorusso's salary which had been raised  
13 substantially when she got the job, was cut  
14 back to a director's level. Did you make that  
15 decision?" In response Mr. Libutti states "no,  
16 it was a cargo decision." Did you follow up  
17 with Mr. Longo or anyone else at cargo  
18 regarding that decision?

19 A. No, because as I already told you,  
20 it was part of my plan to proceed the  
21 investigation since Ms. Lorusso decided to end  
22 the investigation.

23 Q. If I could direct your attention to  
24 page four of five under the title Lorusso's  
25 transfer to the cargo department. Under No. 1

1 PORRU

2 employment with Alitalia?

3 A. I don't know.

4 Q. Did you speak with Mr. Marchese  
5 after Mr. Libutti advised you that he would be  
6 someone you should speak with?

7 A. No, I didn't speak with him about  
8 this point.

9 Q. Was that because Mr. Marchese was  
10 no longer employed by Alitalia?

11 A. No, because it was a part of my  
12 investigation to collect all the information  
13 and proceed with direct feedback first of all  
14 with Mr. Libutti and Mr. Longo and then  
15 involving the other people in the answers.

16 Q. After you received all this  
17 information from Mr. Longo and Mr. Libutti, did  
18 you feel it was necessary to continue the  
19 investigation?

20 A. Absolutely yes.

21 Q. What did you do, if anything, in  
22 connection with continuing the investigation?

23 A. I planned to proceed in the  
24 investigation as soon as the timing and the  
25 scheduling of my job allowed me. And then when

1 PORRU

2 I was communicated about the situation of Ms.  
3 Ester Lorusso I asked her a meeting and she  
4 decided not to meet me.

5 Q. When was this meeting requested to  
6 be held?

7 A. Sorry the meeting with who?

8 Q. The meeting you just referenced  
9 where you requested a meeting with Ester  
10 Lorusso but she declined to appear?

11 MR. KORAL: Why don't you rephrase  
12 that and ask when he asked her to have a  
13 meeting?

14 Q. When did you request a meeting with  
15 Ester Lorusso?

16 A. In January.

17 Q. In January?

18 A. Yes.

19 Q. 2007?

20 A. Yes.

21 Q. What was the purpose of this  
22 meeting?

23 A. The purpose was to proceed  
24 investigation of her complaint.

25 Q. Did this meeting take place?

1 PORRU

2 A. No, because she didn't accept to  
3 proceed on the investigation.

4 Q. When did you learn that Ester's  
5 last position with Alitalia was going to be  
6 eliminated?

7 A. It was in December, around mid  
8 December.

9 Q. And how did you learn of this?

10 A. Mr. D'llario who was the chief of  
11 cargo came from Rome and told me that the head  
12 office took that decision in connection with  
13 worldwide cargo re-organization.

14 Q. Prior to mid December when Mr.  
15 D'llario told you that the head office took the  
16 decision to re-organize worldwide cargo, did  
17 you have any impression regarding Ms. Lorusso's  
18 job security?

19 A. No, as I wrote to Ms. Lorusso, her  
20 concern about the job was unjustified.

21 Q. But, in fact, her job was  
22 eliminated?

23 MR. KORAL: Objection.

24 A. It was due to worldwide cargo  
25 re-organization which I was not aware of when I

1 PORRU

2 wrote to Ms. Lorusso.

3 Q. During this deposition we often  
4 refer to the head office. For example, the  
5 head office made the decision. Who exactly do  
6 you mean at the head office?

7 MR. KORAL: Objection.

8 Q. If you understand my question you  
9 can answer.

10 A. I mean the cargo division with the  
11 human resources department. I don't know if  
12 it's involved also somebody other. That's all  
13 I know.

14 Q. Is there someone in particular in  
15 the cargo, human resources department in the  
16 head office that you're referring to?

17 A. It was Mr. Luca Bruni who was HR  
18 international for foreign markets and that's  
19 all I know.

20 Q. Did you investigate any other  
21 complaints of Ester Lorusso Lorusso's other  
22 than the one we discussed today?

23 A. No, this is the only one I  
24 investigated. You mean of Ester Lorusso?

25 Q. Of Ester Lorusso, yes.

1 PORRU

2 investigation but following her termination did  
3 you continue to investigate her complaint?

4 MR. KORAL: Objection.

5 A. No, I didn't continue because after  
6 I sent to Ms. Lorusso a letter asking a meeting  
7 which she was not interested in, I decided not  
8 to continue.

9 Q. Did you put your decision not to  
10 continue the investigation in writing?

11 A. I don't recall.

12 Q. Is it your practice to put such a  
13 decision in writing?

14 A. Yes, it's a practice. I remember I  
15 sent a similar letter to Mr. Marioti saying  
16 that the matter was closed because he was not  
17 interested in continuing my investigation. I  
18 don't recall if I sent to Ms. Lorusso too.

19 Q. Other than Ms. Lorusso's complaints  
20 of age and gender discrimination and Mr.  
21 Marioti's complaints of sex discrimination,  
22 have you investigated any other complaints in  
23 your capacity as either human resource director  
24 of the Americas or human resource director  
25 North America or human resource manager for